UNITED STATES DISTRICT COURT

District of Montana

UNITED STATES OF AMERICA v.	AMENDED Judgment in a Criminal Case (For Revocation of Probation or Supervised Release)
	(x or revocation of resources of supervised resource)
JOSEPH MATTHEW BALLANTYNE	Case No. CR 11-43-BLG-SPW-01
	USM No. 12672-091
	Ashley Harada (Appointed) Defendant's Attorney
THE DEFENDANT:	·
admitted guilt to violation of condition(s)	Stand. and Spec. Conds. of the term of supervision.
\square was found in violation of condition(s) count(s)	after denial of guilt.
The defendant is adjudicated guilty of these violati	ons:
<u>Violation Number</u> <u>Nature of Violation</u>	Violation Ended
1 Failed to notify USF	PO of change in residence 05/08/2017
2 Committed local cri	me 03/24/2017
3 Admitted consuming	g alcohol 03/24/2017
Failed to follow USF	PO instructions 04/03/2017
The defendant is sentenced as provided in paths Sentencing Reform Act of 1984.	ages 2 through of this judgment. The sentence is imposed pursuant to
☐ The defendant has not violated condition(s) _	and is discharged as to such violation(s) condition.
It is ordered that the defendant must notify change of name, residence, or mailing address until fully paid. If ordered to pay restitution, the defendence onomic circumstances.	y the United States attorney for this district within 30 days of any lall fines, restitution, costs, and special assessments imposed by this judgment are ant must notify the court and United States attorney of material changes in
Last Four Digits of Defendant's Soc. Sec. No.: _6	04/05/2018
Defendant's Year of Birth: 1958	Date of Imposition of Judgment
City and State of Defendant's Residence:	Signature of Judge
Billings, MT	Susan P. Watters, District Judge
	Name and Title of Judge
	04/05/2018

Date



APR 0 5 2018

Clerk, U S District Court District Of Montana Billings AO 245D (Rev. 11/16)

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ADDITIONAL VIOLATIONS

<u>Violation Number</u> 5	Nature of Violation Failed to follow USPO instructions	Violation <u>Concluded</u> 04/10/2017
6	Consumed excessive alcohol and was cited	04/14/2017
7	Failed to follow USPO instructions	04/17/2017
8	Failed to follow USPO instructions	04/24/2017
9	Failed to follow USPO instructions	05/01/2017

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IMPRISONMENT

term of:	The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total
12 mont	hs and a day
⊻ T	The court makes the following recommendations to the Bureau of Prisons: defendant be placed at FCI Sheridan
√ T	he defendant is remanded to the custody of the United States Marshal.
	he defendant shall surrender to the United States Marshal for this district:
	l at □ a.m. □ p.m. on
	as notified by the United States Marshal.
ΠТ	he defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
	before 2 p.m. on
	•
	as notified by the Probation or Pretrial Services Office.
	RETURN
I have ex	ecuted this judgment as follows:
D	pefendant delivered on to
at	with a certified copy of this judgment.
	UNITED STATES MARSHAL
	By
	DEFUTI UNITED STATES WARSHAL

AC	245D (Rev. 11/16) Judgment in a Criminal Case for Revocations Sheet 3 — Supervised Release
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DE	FENDANT: JOSEPH MATTHEW BALLANTYNE
CA	SE NUMBER: CR 11-43-BLG-SPW-01
	SUPERVISED RELEASE
Up	on release from imprisonment, you will be on supervised release for a term of:
	MANDATORY CONDITIONS
1.	You must not commit another federal, state or local crime.
2.	You must not unlawfully possess a controlled substance.
3.	You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release
	from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
	☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future
	substance abuse. (check if applicable)
4.	You must cooperate in the collection of DNA as directed by the probation officer. (check if applicable)
5.	☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.)
	as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location
	where you reside, work, are a student, or were convicted of a qualifying offense. (check if applicable)

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

☐ You must participate in an approved program for domestic violence. (check if applicable)

6.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

- 1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
- 2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
- 3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
- 4. You must answer truthfully the questions asked by your probation officer.
- 5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
- 7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
- 9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
- 10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- 11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
- 12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
- 13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of the
judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and
Supervised Release Conditions, available at: www.uscourts.gov.

Defendant's Signature		Date	
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★ SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall reside in a Residential Reentry Center under contract to the US BOP, in the prerelease component, for a period of six months. The defendant shall abide by all rules and regulations of the center and successfully complete any programming as deemed appropriate by the United States Probation Officer.
- 2. The defendant shall participate in substance abuse testing, to include not more than 365 urinalysis tests, not more than 365 breathalyzer tests and not more than 36 sweat patch applications annually during the period of supervision. The defendant is to pay all or part of the costs of testing as determined by the United States Probation Officer.
- 3. The defendant shall participate in and complete a program of substance abuse treatment as approved by the United States Probation Office, until the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as determined by the United States Probation Officer.
- 4. The defendant shall participate in a program for mental health treatment as deemed necessary by the United States Probation Officer, until such time as the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as determined by the United States Probation Officer.
- 5. The defendant shall abstain from the consumption of alcohol and shall not enter establishments where alcohol is the primary item of sale.
- 6. All employment must be approved in advance in writing by the United States Probation Office. The defendant shall consent to third-party disclosure to any employer or potential employer.
- 7. The defendant shall not possess, ingest or inhale any toxic substances such as, but not limited to, synthetic marijuana and/or synthetic stimulants that are not manufactured for human consumption, for the purpose of altering his mental or physical state.
- 8. The defendant shall not purchase, possess, use, distribute or administer marijuana, or obtain or possess a medical marijuana card or prescription.
- 9. The defendant shall comply with Sexual Offender Registration requirements for convicted offenders in any state in which the defendant resides.
- 10. The defendant shall not possess camera phones or electronic devices that could be used for covert photography without the prior written approval of the United States Probation Office.
- 11. The defendant shall not knowingly acquire, possess or view any materials depicting sexually explicit conduct as defined in 18 U.S.C. § 2256(2)(A) if the materials taken as a whole are primary designed to arouse sexual desire unless otherwise approved by the supervising probation officer. This condition applies to written stories, visual, auditory, telephonic, or electronic media, computer programs or services, and any visual depiction as defined in 18 U.S.C. 2256(5).
- 12. The defendant shall not knowingly patronize any place where sexually explicit material other entertainment is the primary item of sale, such as adult book stores, clubs, or Internet sites, unless otherwise approved by the supervising probation officer. The defendant shall not utilize 900 or adult telephone numbers or any other sex related numbers or online chat rooms that arc devoted to the discussion or change of sexually explicit materials as defined above.

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Judgment in a Criminal Case for Revocations Sheet 4D — Probation

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***** SPECIAL CONDITIONS OF SUPERVISION

- 13. The defendant shall not be allowed to do the following without prior written approval of United States Probation: knowingly reside in the home, residence, or be in the company of any child under the age of 18, with the exception of his own children; go to or loiter within 100 yards of school yards, parks, playgrounds, arcades, or other places primarily used by children under the age of 18.
- 14. The defendant shall submit his person, residence, place of employment, vehicles, and papers, to a search, with or without a warrant by any probation officer based on reasonable suspicion of contraband or evidence in violation of a condition of release. Failure to submit to search may be grounds for revocation. The defendant shall warn any other occupants that the premises may be subject to searches purusnt to this condition. The defendant shall allow seizure of suspected contraband for further examination.